

The following is an Adobe Acrobat reproduction of the official
Notice of Proposed Selection of Remedy
for
Hayes-Sammons Warehouse
as published in the
Texas Register
(21 TexReg 5124)
on
June 4, 1996

A portion of the records for this site, including documents
pertinent to the TNRCC selection of remedy, is available for
viewing with the site repository records

at
Speer Memorial Library
801 E. 12th Street
Mission, Texas
and/or
TNRCC Records Management Center
Austin, Texas

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any use to which it was suitable prior to mining; and c) further restoration efforts would consume energy, water, or other natural resources of the state without providing a corresponding benefit to the state. The Pawlik site is in Live Oak County, Texas, five miles southwest of George West and approximately 50 miles northwest of Corpus Christi.

Issued in Austin, Texas, on May 24, 1996.

TRD-9607269 Kevin McCalla
Director, Legal Division
Texas Natural Resource Conservation
Commission

Filed: May 24, 1996



The Executive Director of the Texas Natural Resource Conservation Commission has issued a public notice of the selection of a proposed remedial action for a State Superfund Site which may constitute an imminent and substantial endangerment due to a release or threatened release of hazardous substances into the environment.

In accordance with 30 Texas Administrative Code (TAC) §335.349(a), concerning requirements for the remedial action and the Texas Health and Safety Code, Chapter 361.187 Solid Waste Disposal Act as Amended by Senate Bill 43, Sixth called Session 1990, concerning the proposed remedial action, a public meeting regarding the proposed remedy for the Hayes-Sammons State Superfund Site must be held at least 45 days after publishing a notice in the *Texas Register* and a local newspaper. The public meeting is scheduled at the Speer Memorial Library in Mission, Texas 78572, 801 East 12th Street on Tuesday, July 23, 1996, at 7:00 p.m.

The site for which a proposed remedy has been selected is the Hayes-Sammons site that was originally placed on the State Superfund list on January 16, 1987 (vol 13, Texas Register, pp 427-428). Hayes-Sammons Warehouse is located at East Eighth and Miller Avenue in Mission, Texas.

Documented use of the property for pesticide storage dates back to about 1945. Two warehouses were built on the property and used by the Hayes-Sammons Chemical Company and its successor companies for pesticide storage from 1945 to 1968. Since then, the warehouses have been used for storage of personal items by one of the property owners.

Results of the field investigation and laboratory analyses show that the primary contaminants present in the soil and buildings at the Hayes-Sammons Warehouse site are organochlorine pesticides and arsenic. The TNRCC is proposing that the contaminated soil be excavated and disposed of at an off-site facility. The building will be decontaminated and then demolished and removed for off-site disposal. No contamination was detected in the ground water.

A remedial investigation was conducted during three phases of investigation (initial remedial investigation, first and second supplemental investigation). The investigations confirmed the presence of contamination at levels which may threaten human health and the environment. A baseline risk assessment concluded that further action was warranted to eliminate potential imminent and substantial endangerment to human health and the environment from the contamination at the site. A feasibility study was prepared that screened and evaluated remedial alternatives for the site contamination. The Feasibility Study report

developed six alternatives for remediation of surface and subsurface soils.

The public meeting will be legislative in nature and is not a contested case hearing under the Texas Government Code, Chapter 2001. Persons desiring to make oral comments on the facility or the proposed remedial action may do so prior to or at the public meeting.

All written comments concerning the remedial action proposed must be submitted at least ten days prior to the public meeting to Mr. Mike Garrigan, Project Manager, Superfund Investigation Section, MC 143, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

The Executive Director of the TNRCC has prepared a brief summary of the Commission's public records regarding this site. This summary as well as portion of the public records for the site are available for inspection and copying during the business hours of Speer Memorial Public Library, 801 E. 12th Street, Mission, Texas (210) 580-8755. Copies of the complete public record file may be obtained during business hours of the TNRCC by contacting Ms. Beth Behrend, Central Records Center, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2920. Copying of file information is subject to payment of a fee.

For further information, please call: (800) 633-9363 or (512) 239-3844.

Issued in Austin, Texas, on May 24, 1996.

TRD-9607353 Kevin McCalla
Director, Legal Division
Texas Natural Resource Conservation
Commission

Filed: May 28, 1996



Notice of Public Hearing (Chapter 122)

Notice is hereby given that pursuant to the requirements of Texas Health and Safety Code, §382.017 and §382.051, and Texas Government Code, Subchapter B, Chapter 2001, the Texas Natural Resource Conservation Commission (TNRCC or commission) will conduct a public hearing to receive testimony concerning revisions to Chapter 122.

The commission proposes new §§122.511-122.515, concerning the requirements for specific general permits. The new sections will be included in a new undesignated head entitled "Available General Permits"; the new undesignated head will be located in a new Subchapter F entitled "General Permits." The proposed rules concerning General Permits have been developed to facilitate a simplified alternate permitting mechanism to comply with the requirement for states to implement an operating permit program mandated by the 1990 Amendments to the Federal Clean Air Act. The rules regarding general permits are proposed for the entire State of Texas.

A public hearing on the proposal will be held July 8, 1996, at 10:00 a.m. in Room 2210 of TNRCC Building F, located at 12100 Park 35 Circle, Austin. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion within the audience will not occur during the hearing; however, an agency staff member will be available to